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Atty. Dkt. No. 040373-0301

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

#2

Applicant: Tatsuya ISHII  
Title: VARIABLE-GAIN DIGITAL FILTER  
Appl. No.: 09/741,194  
Filing Date: 12/21/2000  
Examiner: Unassigned  
Art Unit: 2631

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**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 CFR §1.56**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

Submitted herewith on a modified Form PTO SB/08 is a listing of document(s) known to Applicant in order to comply with Applicant's duty of disclosure pursuant to 37 C.F.R. § 1.56. A copy of the listed document(s) is being submitted to comply with the provisions of 37 C.F.R. §§ 1.97-1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 C.F.R. § 1.56(b). Applicant does not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* prior art reference against the claims of the present application.

**TIMING OF THE DISCLOSURE**

The instant Information Disclosure Statement is being filed before the mailing date of a first action under the provisions of 37 C.F.R. § 1.97(b)(3). In the alternative, the instant Information Disclosure Statement is being filed under the provisions of 37 C.F.R. § 1.97(c)(1).



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**STATEMENT UNDER 37 C.F.R. § 1.97(e)**

The undersigned hereby states in accordance with 37 C.F.R. § 1.97(e)(1) that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of this Statement.

**RELEVANCE OF EACH DOCUMENT**

The documents listed on the attached PTO/SB/08B were cited as being relevant during the prosecution of the corresponding Korean application. A copy of an English language abstract of the listed documents, if available, is being provided. The absence of a translation or an English-language counterpart document does not relieve the PTO from its duty to consider this document (37 C.F.R. § 1.98 and M.P.E.P. § 609).

The Examiner in the corresponding Korean patent application has commented as follows:

As a result of examination of the present application, there were the following reasons for rejection, a notice of which is made as stipulated in Article 63 of the Patent Law; if you have an opinion or need to make an amendment, please submit opinion brief/written amendment before the above deadline (extensions to the above deadline can be requested in units of one month at a time; no separate notice of approval of extension will be issued for such requests.)

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**Reason**

It is found that the inventions described in all patent claims of the present application could have been easily invented prior to the filing of this application by a person having ordinary knowledge in the technical field of the invention based on what is indicated below, and therefore cannot be patented, as per the stipulations of Article 29, Section 2 of the Patent Law.

**Description**

1. All claims of invention of the present application relate to a variable gain digital filter with a configuration whereby a gain adjustment circuit is combined inside the digital filter, distinguished in that the gain adjustment circuit contains a selector, multiplier and the like; however, it is judged that the invention of the present application could have been easily invented by a person skilled in the art by combining Cited Literature 1, which comprises a multiplier and the like in a digital filter, and Cited Literature 2, which comprises multipliers and



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multiple types of filters implemented by selecting the output of the multipliers in a digital signal processing device.

(Attachments)

Attachment 1 Japanese Unexamined Patent Application  
Publication H5-152897 (18 Jun 1993)

Attachment 2 Japanese Unexamined Patent Application  
Publication H8-162906 (21 Jun 1996)

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It is believed that the instant information disclosure statement is being filed prior to the mailing date of any Notice of Allowance or Final Office Action. However, if this information disclosure statement is filed after the mailing date of the Notice of Allowance or Final Office Action, then applicant(s) hereby request(s) and authorize(s) the PTO to charge the fee under 37 CFR 1.17(p) to Deposit Account No. 19-0741.

Applicant respectfully requests that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08B be returned in accordance with M.P.E.P. § 609.

Respectfully submitted,

Date August 20, 2002

By David A. Blumenthal

FOLEY & LARDNER  
Customer Number: 22428



22428

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CERTIFICATE OF MAILING

Assistant Commissioner for Patents  
Washington, D.C. 20231

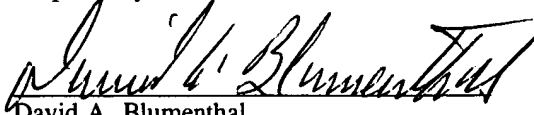
Assistant Commissioner:

I hereby certify that the following paper(s) and/or fee along with any attachments referred to or identified as being attached or enclosed are being deposited with the United States Postal Service as First Class Mail under 37 C.F.R. § 1.8(a) on the date of deposit shown below with sufficient postage and in an envelope addressed to the Assistant Commissioner for Patents, Washington D.C. 20231.

1. Information Disclosure Statement
2. PTO SB08 form
3. Postcard

August 20, 2002  
Date

Respectfully submitted,

  
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